



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
REGION 5  
77 WEST JACKSON BOULEVARD  
CHICAGO, IL 60604-3590

REPLY TO THE ATTENTION OF

SR-6J

December 6, 2016

**By Electronic and Certified Mail**  
**Return Receipt Requested**

Blue Tee Corp.  
c/o: Ms. Jennifer Mumper  
Manager – Environmental  
Gold Fields Mining, LLC  
Peabody Energy – Peabody Plaza  
701 Market Street  
St. Louis, MO 63101-1826

John Watson  
Baker & McKenzie LLP  
300 East Randolph Street, Suite 5000  
Chicago, IL 60601  
(for Gold Fields Mining, LLC)

Terrance G. Faye, Esq.  
1 North Maple Avenue  
Greensburg, PA 15601  
(for Blue Tee Corp.)

Kathleen M. Whitby  
Spencer/Fane  
1 North Brentwood Blvd Suite 1000  
St. Louis, MO 63105-3937  
(for Blue Tee Corp.)

Gold Fields Mining, LLC  
Attn: Walter L. Hawkins  
Sr. Vice President - Finance  
701 Market Street, Suite 750  
St. Louis, MO 63101

Re: Old American Zinc Plant Superfund Site  
Fairmont City, St. Clair County, Illinois;  
Notice of U.S. EPA Work Takeover

Dear Sir or Madam:

Please be advised that the U.S. Environmental Protection Agency (EPA or the Agency) is taking over the Remedial Design (RD) work from Blue Tee Corp. (Blue Tee) with regard to the Old American Zinc Plant Superfund Site in Fairmont City, Illinois (OAZ or the Site). EPA's Work Takeover is being implemented pursuant to Section XX, Paragraph 94 of the 2014 Administrative Settlement Agreement and Order on Consent for the RD, CERCLA Docket No. V-W-14-C-011 (the AOC) for the Site.

Blue Tee has failed to submit to the Agency a Final Remedial Design which addresses the Agency's comments and has ceased implementing the RD Work at OAZ. EPA notes the November 3, 2016 email letter of Counsel John W. Watson to U.S. Department of Justice Trial Attorney Brandon Robers. Therefore, EPA has determined that Blue Tee is deficient and late in its performance of Work under the AOC, and EPA must assume the performance of all of the RD Work at the Site.

If you have any questions concerning this matter, or would like to discuss EPA's decision to take over the RD work under the AOC, please contact me at 312-353-4150 or your legal counsel may contact Associate Regional Counsel, Tom Turner at 312-886-6613.

Sincerely yours,



Sheila Desai  
Remedial Project Manager  
Superfund Division

cc: Mr. Gary Uphoff  
Environmental Management Services Co.  
5934 Nicklaus Drive  
Fort Collins, CO 80528

Kevin Holewinski, Esq.  
Jones Day  
51 Louisiana Ave., N.W.  
Washington, DC 20001-2113

GSA  
c/o: Daniel Pinkston, Esq.  
U.S. Department of Justice  
ENRD/EDS  
999 18<sup>th</sup> Street  
Denver, CO 80202

Brandon Robers, Esq., U.S. DOJ (*email only*)

Tom Turner, Esq., U.S. EPA, ORC, Region 5 (*email only*)

Michael Haggitt, Illinois EPA (*email only*)

Rachel Grand, CH2M (*email only*)

Lawrence Schmitt, U.S. EPA, SFD, Region 5 (*email only*)